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Attorneys for Defendant  
Kent H. Roberts

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

SECURITIES AND EXCHANGE  
COMMISSION.

Case No. C 07-04580 MHP

**STIPULATION AND [PROPOSED]  
ORDER SELECTING ADR PROCESS**

Plaintiff.

V.

KENT H. ROBERTS,

Defendant.

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Counsel report that they have met and conferred regarding ADR and that they have reached the following stipulation pursuant to Civil L.R. 16-8 and ADR L.R. 3-5:

Both parties are agreeable to mediation. Defendant Roberts, however, submits that it will not be possible for him to participate meaningfully in any ADR process until after the conclusion of proceedings in the related criminal matter, *U.S. v. Kent H. Roberts*, 07-0100-MHP, currently set for trial on April 15, 2008 before this Court. Plaintiff Securities and Exchange Commission is willing to participate in ADR processes before then but understands Defendant Roberts' position in this regard.

Accordingly, the parties agree to participate in mediation (ADR L.R. 6) following the conclusion of proceedings in the criminal matter.

DATED: November 15, 2007

COOLEY GODWARD KRONISH LLP

/s/

Attorneys for Defendant  
**KENT H. ROBERTS**

DATED: November 15, 2007

# SECURITIES AND EXCHANGE COMMISSION

/s/  
Stephen L. Cohen

Attorneys for Plaintiff  
Securities and Exchange Commission

1 **[PROPOSED] ORDER**2 Pursuant to the Stipulation above, the captioned matter will be referred to mediation  
3 upon the conclusion of proceedings in the related criminal matter, *U.S. v. Kent H.*  
4 *Roberts*, 07-0100-MHP.5 IT IS SO ORDERED.  
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7 Dated: 11/16/2007  
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